

UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF OHIO
WESTERN DIVISION AT DAYTON

00001

IN RE:

Paul W. Brow
Marcie L. Brow

Debtors

CASE NO: 18-31496

(Chapter 13)

JUDGE GUY R. HUMPHREY

CHAPTER TRUSTEE'S OBJECTION TO NOTICE OF MORTGAGE PAYMENT CHANGE (DOC. 55)

Now comes John G. Jansing, Chapter 13 Trustee, and objects to the Notice of Mortgage Payment Change (Doc. 55) by US BANK NATIONAL ASSOCIATION (Court Claim 6, Trustee Claim 1).

The Notice of Payment Change is giving a new monthly mortgage payment effective November 01, 2021. The form clearly states that payment changes must be effective at least 21 days *after* the date of the notice. It cannot be retroactive.

The Trustee moves that the Notice of Mortgage Payment Change be disallowed.

Respectfully submitted,

/s/ John G. Jansing

John G. Jansing 0040926

Chapter 13 Trustee

131 N. Ludlow St. Suite 900

Dayton, OH 45402-1161

(937)222-7600 Fax (937)222-7383

chapter13@dayton13.com

18-31496

NOTICE OF MOTION

John G. Jansing, Chapter 13 Trustee, has filed an Objection to Notice of Mortgage Payment Change.

Your rights may be affected. You should read these papers carefully and discuss them with your attorney, if you have one in this bankruptcy case. If you do not have an attorney, you may wish to consult one.

If you do not want the court to grant the relief sought in the Motion, then on or before **twenty-one (21) days from the date set forth in the certificate of service for the motion**, you must file with the court a response explaining your position by mailing your response by First Class Mail to US Bankruptcy Court, 120 W Third St., Dayton, OH 45402 OR your attorney must file a response using the Court's ECF system.

The court must receive your response on or before the above date.

You must also send a copy of your response either by 1) the court's ECF system or by 2) First Class Mail to:

Paul W. Brow, 9974 Scotch Pine Drive, Springboro, OH 45066

Marcie L. Brow, 9974 Scotch Pine Drive, Springboro, OH 45066

Russ B Cope, Cope Law Offices LLC, 6826 Loop Rd, Dayton, OH 45459

John G. Jansing, Chapter 13 Trustee, 131 N. Ludlow St., Suite 900, Dayton, OH 45402

Office of the U.S. Trustee, 170 North High St., Suite 200, Columbus, OH 43215

If you or your attorney do not take these steps, the court may decide that you do not oppose the relief sought in the motion and may enter an order granting that relief without further hearing or notice.

CERTIFICATE OF SERVICE

18-31496

I hereby certify that a copy of the Objection To Notice Of Mortgage Payment Change was served **electronically** on the date of the filing through the court's ECF System on all ECF participants registered in this case at the email address registered with the court and by **First Class Mail** on January 13, 2022, addressed to:

Paul W. Brow
Marcie L. Brow
9974 Scotch Pine Drive
Springboro, OH 45066

(1.4)
Molly Slutsky Simons
Sottile & Barile
394 Wards Corner Rd.
Suite 180
Loveland, OH 45140

(1.3)
US BANK NATIONAL ASSOCIATION
C/O RUSHMORE LOAN MANAGEMENT
SERVICES LLC
BOX 55004
IRVINE, CA 92619-2708

Certified Mail Certificate of Service

18-31496

I hereby certify that a copy of the attached was served by **certified mail** to each of the following on the date of the electronic filing.

ANDREW CECERE, CEO
U.S. BANK, NATIONAL ASSOCIATION
425 WALNUT STREET
CINCINNATI, OH 45202

John G. Jansing By /s/ John G. Jansing
